

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

ROBERT CALDERON,

Plaintiff,

VS.

BRAD LIVINGSTON, *et al*,

Defendants.

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CIVIL ACTION NO. G-10-383

ORDER TO TRANSFER

The plaintiff, Robert Calderon, (TDCJ # 109973), is a state inmate in custody of the Galveston County Jail. Calderon has filed a complaint under 42 U.S.C. § 1983, alleging violations of his civil rights by officials in Bandera County, Texas. The alleged civil rights violations outlined in the complaint have no connection to the Southern District of Texas, Galveston Division.

A district court has the authority to transfer a case in the interest of justice to another district in which the action might have been brought. *See* 28 U.S.C. §§ 1404, 1406. In particular, § 1404 provides as follows:

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to another district of division where it may have been brought.

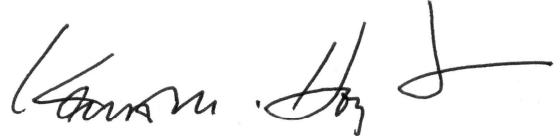
28 U.S.C. § 1404(a). A district court has “broad discretion in deciding whether to order a transfer.” *Balawajder v. Scott*, 160 F.3d 1066, 1067 (5th Cir.), *cert. denied*, 526 U.S. 1157 (1999).

Bandera County, Texas, is located within the San Antonio Division of the Western District of Texas. In the interest of justice, and for the convenience of the parties and witnesses,

this Court concludes that the plaintiff's complaint should be transferred to the San Antonio Division of the Western District of Texas. 28 U.S.C. §§ 1391(b)(2), 1404(a).

Accordingly, the Clerk is **ORDERED** to **TRANSFER** this case to the Clerk of the United States District Court for the Western District of Texas, San Antonio Division.

SIGNED at Houston, Texas this 19th day of October, 2010.

A handwritten signature in black ink, appearing to read "Kenneth M. Hoyt", is written over a horizontal line.

Kenneth M. Hoyt
United States District Judge